

REMARKS

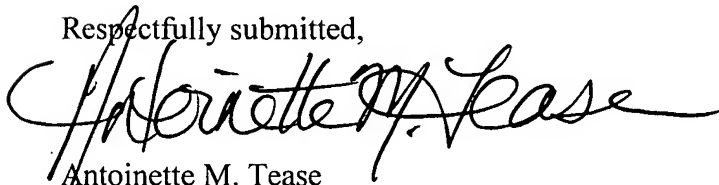
Claims 12 and 20 have been amended to add the word “dental” before “appliance.” Applicant believes that this amendment sufficiently distinguishes these claims from the invention described in U.S. Patent No. 6,087,549 (Flick, 2000), which makes no mention whatsoever of a *dental* appliance. The amendment of claims 12 and 20 should place the remaining rejected claims (13–16 and 18–29, which are dependent on claim 12, and 22–27, which are dependent on claim 20) in condition for allowance.

The examiner also objected to the form of claims 17 and 21. Claim 17 has been amended to delete the extraneous language inadvertently included by the applicant’s former patent counsel. With the amendment of claim 20 as set forth above, it should not be necessary to amend claim 21 to rewrite it in independent form.

Lastly, the applicant has revised claims 13–17 to correct the incorrect dependent claim references made by the applicant’s former patent counsel. All of these claims should refer back to claim 12—not claim 11.

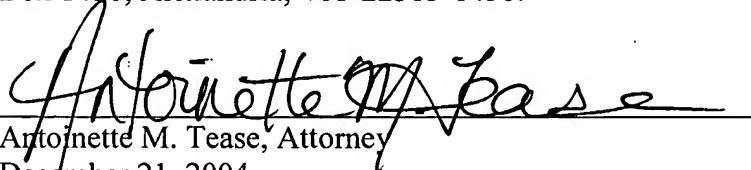
Pursuant to Rule 121, a complete claim listing is attached hereto.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Antoinette M. Tease", written in a cursive style.

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Antoinette M. Tease, Attorney
December 21, 2004

MARKED-UP VERSION OF AMENDED CLAIMS

1. (Original) A treatment device, comprising:
an antimicrobial sheet material having
a first layer of a gel composition including a block copolymer and mineral oil, and
a second layer engaging at least one side of said first layer, said second layer containing a bactericidal metal; and
means for retaining said antimicrobial sheet material in a selected position in a body cavity of a user.
2. (Original) The device as recited in claim 1, wherein at least a portion of said bactericidal metal is silver.
3. (Original) The device as recited in claim 1, wherein at least a portion of said bactericidal metal is crystalline silver.
4. (Original) The device as recited in claim 1, wherein said bactericidal metal further comprises silver, said silver mechanically attached to said second layer so that, when said second layer is wetted, at least a portion of said silver is released in the form of ionic silver.
5. (Original) The device as recited in claim 1, wherein said second layer further comprises silver-containing nylon fabric.
6. (Original) The device as recited in claim 1, wherein said second layer is selected from the group consisting of (a) a coating on said first layer, said coating containing said bactericidal metal, (b) a quantity of said bactericidal metal in said first layer, and (c) a silver-containing material attached to said first layer.

7. (Original) The device as recited in claim 1, wherein said antimicrobial sheet material further comprises at least one third layer engaging another side of said first layer, said at least one third layer made of moisture-absorbing material, moisture-permeable material, or moisture-impermeable material, or gas-permeable material.

8. (Original) The device as recited in claim 1, wherein said retaining means further comprises a dental appliance.

9. (Original) The device as recited in claim 1, wherein said retaining means further comprises a tether.

10. (Original) The device as recited in claim 1, wherein said retaining means further comprises an appliance made of a somewhat flexible, conformable material.

11. (Original) The device as recited in claim 1, wherein said retaining means further comprises a shapeable appliance.

12. (Currently amended) A treatment device, comprising:
an antimicrobial sheet material containing a bactericidal metal; and
a[n] dental appliance for retaining said antimicrobial sheet material in a selected position engaging a treatment site so that, when said antimicrobial sheet material is in said selected position, said antimicrobial sheet material releases metal ions to said treatment site when wetted.

13. (Currently amended) The composition as recited in claim 12[11], wherein at least a portion of said bactericidal metal is silver.

14. (Currently amended) The device as recited in claim 12[11], wherein at least a portion of said bactericidal metal is crystalline silver.

15. (Currently amended) The device as recited in claim 12[11], wherein said antimicrobial sheet material further comprises silver-containing nylon fabric.

16. (Currently amended) The device as recited in claim 12[11], wherein said antimicrobial sheet material further comprises:

a first layer of polymeric material; and

a second layer engaging at least one side of said first layer, said second layer containing said bactericidal metal.

17. (Currently amended) The device as recited in claim 12[11], wherein said antimicrobial sheet material further comprises:

a first layer of polymeric material including a gel composition including a block copolymer and mineral oil; and

a second layer engaging at least one side of said first layer, said second layer containing said bactericidal metal. [The device as recited in claim 9, wherein said first layer further comprises a gel composition including a block copolymer and mineral oil.]

18. (Currently amended) The device as recited in claim 12[11], wherein said appliance is at least somewhat flexible.

19. (Currently amended) The device as recited in claim 12[11], wherein said appliance is at least somewhat shapeable.

20. (Currently amended) A treatment device, comprising:
an antimicrobial sheet material having
a first layer of polymeric material, and
a second layer engaging at least one side of said first layer, said second layer containing silver; and
a[n] dental appliance for retaining said antimicrobial sheet material in a selected position engaging a treatment site so that, when said antimicrobial sheet material is in selected position, said antimicrobial sheet material releases metal ions to said treatment site when wetted.

21. (Original) The device as recited in claim 20, wherein said first layer further comprises a gel composition including a block copolymer and mineral oil.

22. (Original) The device as recited in claim 20, wherein at least a portion of said silver is crystalline.

23. (Original) The device as recited in claim 20, wherein said second layer is selected from the group consisting of (a) a coating on said first layer, said coating containing said silver, (b) a quantity of said silver in said first layer, and (c) a silver-containing material attached to said first layer.

24. (Original) The device as recited in claim 20, wherein said second layer further comprises silver-containing nylon fabric.

25. (Original) The device as recited in claim 20, wherein said antimicrobial sheet material further comprises at least one third layer engaging another side of said first layer, said at least one third layer made of moisture-absorbing material, moisture-permeable material, or moisture-impermeable material.

26. (Original) The device as recited in claim 20, wherein said appliance is at least somewhat conformable.

27. (Original) The device as recited in claim 20, wherein said appliance is at least somewhat shapeable.